



The Honorable Jim Himes  
United States House of Representatives  
119 Cannon House Office Building  
Washington, DC 20515

**Safe and Responsible Gun Ownership: Policy Submissions to the House Democratic Caucus Gun Violence Prevention Task Force**

Dear Colleagues:

Time and time again, at Columbine, at Aurora, in Tucson, we have let slip opportunities to reduce the gun violence that plagues us. While I recognize and respect the constitutional right to bear arms, I do not believe that we need to choose between the safety of our citizens and our constitutional rights. Instead there are a number of constitutional steps we can take to reduce the gun violence that plagues us. We owe it to those who lost their lives in Newtown and all those individuals who have lost loved ones in acts of gun violence across the country to find a solution to this problem.

I appreciate your similar commitment to the goal of eradicating gun violence, and am thankful for the opportunity to work with such a dedicated group. I respectfully would submit the following suggestions to be considered by the task force.

**I. Universal Background Checks**

All gun sales should be subject to a background check. Thousands of individuals who are legally prohibited from owning a gun are prevented from obtaining one every year from background checks. However, there are gaping holes in the current background check system and thousands of weapons currently are sold without background checks and end up in the wrong hands. The task force should consider proposals to require that all stranger to stranger gun sales that are applicably regulated by the federal government be subject to a background check.

This proposal, most importantly, must close the two most problematic loopholes. First, the gun show loophole must be eliminated. It is clear that unregulated private sales conducted without a background check at gun shows are a major source of illegal weapons obtained by criminals and others who are legally unable to obtain weaponry. Any proposal by the task force must eliminate this loophole.

In addition, individuals who are known or suspected terrorists should not be able to purchase weaponry. The background check system needs to be changed to deny weapons to these individuals.

Finally, it is clear that the data within the NICS system is often not complete. It is important that any background check proposal further address incentives for states to fully provide data to the NICS database. No individual prohibited from obtaining a firearm, including those who have been adjudicated as mentally ill, should be able to obtain a weapon because of a lack of cooperation or diligence on the part of the states.

## **II. Banning Assault Weapons, Large Capacity Ammunition Feeding Devices and Weapons Designed Soley for Killing**

No one outside of the military or law enforcement needs an assault rifle or 30-round magazine. These weapons are designed for one purpose and that is for killing quickly. It's time our laws caught up to what we know about preventing gun violence—innocent people can be saved by laws that implement the commonsense ideas that no one outside of law enforcement needs an assault rifle and it doesn't take 30 bullets to kill a deer.

Any task force proposal should consider well and tightly drawn legislation which bans these assault weapons and high capacity magazines.

These two proposals are simple, constitutional, and enjoy broad support from the general public and gun-owners. These ideas have consistently been introduced in legislative form and must be part of any substantive proposal issued by the task force. In addition, I would also suggest that proposals regarding tougher criminal penalties for gun traffickers and for providing increased mental health services also be discussed.

Thank you for considering these proposals and I look forward to working with the task force as we move towards a solution to help eradicate gun violence.

James A. Himes  
Member of Congress